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7 Attorneys for Defendant

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 MIRWAIS ZAZAY,

13 Plaintiff,

14 v.

15 DIRECTOR, UNITED STATES
CITIZENSHIP AND IMMIGRATION
16 SERVICES,

17 Defendant.

Case No. 3:25-cv-02779 LJC

**STIPULATION TO REMAND CASE TO
UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES, PURSUANT TO
8 U.S.C. § 1447(b) and ~~[PROPOSED]~~ ORDER**

18
19 Plaintiff commenced an action pursuant to 8 U.S.C. § 1447(b), requesting this Court to
20 adjudicate his application for naturalization or order U.S. Citizenship and Immigration Services
21 (“USCIS”) to adjudicate it. USCIS is prepared to resolve this matter by adjudicating Plaintiff’s
22 application for naturalization. However, USCIS cannot adjudicate the application until the Court
23 remands the matter to the agency. *See* 8 U.S.C. § 1447(b) (explaining that the district court “may
24 remand [a Section 1447(b) case], with appropriate instructions, to the [USCIS]”); *United States v.*
25 *Hovsepien*, 359 F.3d 1144, 1160 (9th Cir. 2004) (accord).

26 Accordingly, subject to the Court’s approval, IT IS HEREBY STIPULATED that:
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28

1 1. USCIS will issue a Notice of Intent to Deny (“NOID”) or a final decision on Plaintiff’s
2 application within fourteen days of the Court’s order remanding this case to the agency.

3 2. If a NOID is issued, USCIS will take further adjudicatory action (viz approval, denial,
4 additional NOID, or Request for Evidence) within 45 days of receiving Plaintiff’s response to the NOID.

5 3. The Court shall remand this case to USCIS, 630 Sansome Street, San Francisco, CA
6 94111, directing the agency to issue a final decision or a NOID on Plaintiff’s application for
7 naturalization within fourteen days of the Court’s order and to take further adjudicatory action within 45
8 days of receiving Plaintiff’s response to the NOID, if applicable.

9 4. Each of the parties shall bear their own costs and fees.

10 Dated: June 30, 2025

Respectfully submitted,¹

11 CRAIG H. MISSAKIAN
12 United States Attorney

13 /s/ Elizabeth D. Kurlan
14 ELIZABETH D. KURLAN
15 Assistant United States Attorney
Attorneys for Defendant

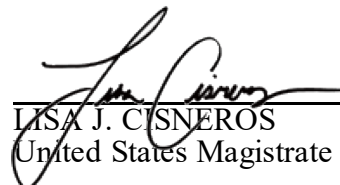
16 Dated: June 30, 2025

17 /s/ Maryam Danishwar
18 MARYAM DANISHWAR
19 Clark Hill PLC
Attorney for Plaintiff

20 ~~PROPOSED~~ ORDER

21 Pursuant to stipulation, IT IS SO ORDERED.

22
23 Date: July 1, 2025

24 
LISA J. CISNEROS
25 United States Magistrate Judge

26
27 ¹ In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all
signatories listed herein concur in the filing of this document.